

THE HON'BLE MR. JUSTICE V.V.S. RAO

THURSDAY, THE 15TH DAY OF DECEMBER, 2005

W.P.No. 26560 of 2005

Between:-

Jakkamreddy Rami Reddy

--Petitioner

And

The District Collector, Nellore district, Nellore and three others.

--Respondents

THE HON'BLE MR. JUSTICE V.V.S. RAO

W.P.NO. 26560 of 2005

:O R D E R:

The petitioner is a resident of Kadivedu village, Chillakuru mandal, Nellore district. He was allegedly assigned land in survey No. 68/1, Kadivedu village in 1980. Alleging that the respondents are laying down a road in the land assigned to the petitioner so as to enable the owner of the land in survey No. 68/2 to have access, the present writ petition is filed. The petitioner seeks the action of the respondents as illegal and arbitrary.

The matter was listed before this court on 13-12-2005. Having regard to the allegation of the petitioner that the respondents are laying a road without due process of law and without issuing any notice to the petitioner, this court directed the learned Assistant Government Pleader for Revenue (Assignment) to get instructions in the matter. Today, after getting instructions in the matter, learned Assistant Government Pleader has placed before this court the 'field measurement map' of survey No. 68/1 with three sub-divisions. According to the learned Assistant Government Pleader what was assigned to the petitioner was the land in survey No. 68/1-2; whereas the road is being laid now on the existing pathway in survey No. 68/1-3 ad-measuring Ac. 0-09 cents. A look at the map placed before this court would abundantly make it clear that the petitioner filed the present writ petition on mere apprehension. As rightly contended by the learned Assistant Government Pleader, the road is not being laid on the land assigned to the petitioner.

The writ petition is filed without any factual foundation. It is accordingly dismissed. No costs.

V.V.S. RAO, J

15-12-2005

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